

IN THE UNITED STATES COURT OF APPEALS

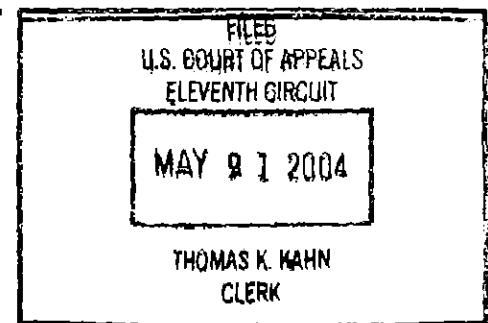
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U.S.D.C. Atlanta  
*pls*  
MAY 24 2004

FOR THE ELEVENTH CIRCUIT

No. 04-12420-CC

1:04-CV-988-MHS

BANKWEST, INC.,  
ADVANCE AMERICA, CASH ADVANCE CENTERS OF GEORGIA, INC.,



Plaintiffs-Appellants,

COMMUNITY STATE BANK,  
FIRST AMERICAN CASH ADVANCE OF GEORGIA, LLC,  
ET AL.,

Consolidated-Plaintiffs-Appellants,

versus

THURBERT E. BAKER, Attorney General of the State of Georgia,  
CATHY COX, Secretary of State, for the State of Georgia, in their official capacities,

Defendants-Consolidated-Defendants-Appellees.

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On Appeal from the United States District Court for the  
Northern District of Georgia

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BEFORE: CARNES, BARKETT and HULL, Circuit Judges.

BY THE COURT:

Appellants' emergency motions for an injunction pending appeal, which seek to enjoin enforcement of Georgia's new payday lending law, Act No. 440

(53)

(S.B. 157) pending resolution of this appeal, are DENIED.

Appellants' motions to expedite consideration of this appeal are GRANTED.

The Clerk's Office is directed to make room for this case on the next available Atlanta oral argument calendar, which is the week of July 19, 2004, and to set an expedited briefing schedule for that purpose.

United States Court of Appeals

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Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

MAY 24 2004

Thomas K. Kahn  
Clerk

LUTHER D. THOMAS, Clerk  
By: *[Signature]* Deputy Clerk

InReplyTo Give Number  
Of Case And Names of Parties

May 21, 2004

MEMORANDUM TO COUNSEL OR PARTIES:

APPEAL NO: 04-12420-CC  
DC DKT NO: 04-00988 CV-1-MHS

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**THIS APPEAL IS GOVERNED BY MORE STRINGENT PROCEDURES FOR REQUESTING EXTENSIONS OF TIME TO FILE BRIEFS AND RECORD EXCERPTS IN CIVIL APPEALS. NEW PROCEDURES ALSO PROVIDE FOR DISMISSAL WITHOUT FURTHER NOTICE IN CIVIL APPEALS WHEN A BRIEF OR RECORD EXCERPTS IS NOT FILED OR CORRECTED WITHIN THE TIME PERMITTED. PLEASE SEE ENCLOSED NOTICE AND REVISED RULES.**

Pursuant to this court's order of May 21, 2004, an expedited briefing schedule, which allows for no extensions of time and for briefs to be received in the clerk's office on the due date, is set as follows:

Appellant's Initial Brief	Due 14 days from May 21, 2004.
Appellee's Brief	Due 14 days from service of appellant's brief
Appellant's Reply Brief	Due 7 days from service of appellee's brief

The Court has directed that the record on appeal be assembled, indexed and retained in the office of the district court clerk for use by counsel or parties in preparing appellate papers.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE CONCERNING THE DUE DATE FOR FILING BRIEFS. See Fed.R.App.P. 28, 30, 31 and 32, and the corresponding circuit rules, for further information on preparing briefs and record excerpts.

A current copy of the district court docket sheet, which shows the papers comprising the record, is available from the district court clerk. Counsel or parties are requested to use the district court docket sheet and their own file copies of court papers in preparing the brief and record excerpts. Counsel or parties may also review the record at the office of the district court clerk. Please refer to the enclosed sheet for information on referencing the record. Upon notice that all appellees' briefs have been filed, the record will be promptly sent to this office by the district court clerk.

THOMAS K. KAHN, CLERK

By: Eleanor M. Dixon  
Deputy Clerk  
(404) 335-6172